REMARKS

This application has been reviewed in light of the Office Action dated April 21, 2004. Claims 23-33 are pending in this application. Claims 23, 26, and 27 have been amended to define still more clearly what Applicants regard as their invention. New Claims 28-33 have been added to provide Applicants with a more complete scope of protection. Claims 23 and 26-28 are in independent form. Favorable reconsideration is requested.

The Office Action rejected 23-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,859,956 (Sugiyama et al.). Applicants respectfully traverse these rejections.

Applicants submit that amended independent Claims 23, 26, and 27, together with the remaining claims dependent thereon, are patentably distinct from Sugiyama et al. at least for the following reasons.

The aspect of the present invention set forth in Claim 23 is a data processing apparatus connectable to a LAN that includes an input unit adapted to input data, a storage unit adapted to store the data inputted by the input unit, and an identification unit adapted to obtain user information about a user for whom the data inputted by the input unit was received. The apparatus also includes a transfer unit adapted to transfer the data inputted by the input unit to a terminal connected to the LAN through the LAN when it is impossible to store the data inputted by the input unit in the storage unit and a generation unit adapted to generate a predetermined notification, based on the user information obtained by the identification unit, to notify the user that the data has been transferred by the transfer unit, the notification including information indicating the terminal to which the

data is transferred by the transfer unit. A sending unit of the apparatus is adapted to send the predetermined notification generated by the generation unit to the user corresponding to the user information obtained by the identification unit as mail.

Among other important features of Claim 23 is that the data is transferred through the LAN in the transfer unit and that the predetermined notification is sent as mail to the user who corresponds to the user information obtained by the identification unit.

Sugiyama et al. relates to an information processing device and information processing method. The Office Action states at page 3 that Sugiyama et al. teaches "a transfer unit adapted to transfer the data inputted by said input unit to a terminal connected to a LAN, when it is impossible to store data inputted by the input unit in the storage unit" (citing col. 7, line 62, to col. 8, line 3). Applicants submit, however, that nothing has been found in this section, or any other section of Sugiyama et al., that would teach or suggest that data is transferred through the LAN in the transfer unit, as recited in Claim 23. In addition, Sugiyama et al. discusses transferring image data to another terminal on the LAN (see col. 36, line 57, to col. 37, line 15) and informing the host of the outputting of image data to another printer (see Fig. 76). However, nothing in Sugiyama et al. would teach or suggest a correlation between transferring the image data and informing the host outputting the image data to another printer. In other words, the structure of the "inform" unit in Sugiyama et al. is distinguishable from that of the "send" unit in the present invention as recited in Claim 23, the sending unit being used to send a predetermined notification as mail to the user who corresponds to the user information obtained by the identification unit. That is, in the present invention as recited in Claim 23, since it is impossible to store the data inputted by the input unit in the storage unit, the

predetermined notification is sent to the user as the mail to notify the user that the data was transferred. Therefore, it is not an object of the sending unit as recited in Claim 23 to output data to another printer because of an error in a printer.

Accordingly, at least for these reasons, Claim 23 is patentable over Sugiyama et al.[1]

Independent Claims 26 and 27 are method and computer memory medium claims, respectively, that correspond to apparatus Claim 23, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 23. In addition, new Claim 28 is allowable over the cited prior art at least because it includes the feature of when transferring the data which was received through the communication line to the terminal on the LAN through the LAN, the report mail which reports its status is sent.

The other claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

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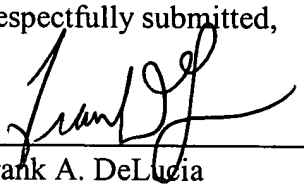
[1]/Applicants note, also, that Sugiyama et al., which is commonly assigned with the present application, and was commonly assigned at the time the present invention was made, is not available as prior art against the present application under 35 U.S.C. § 103.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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